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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DONNA L. HAMMOND,

9 Plaintiff,

v.

10 NANCY A. BERRYHILL, Acting
11 Commissioner of Social Security,

12 Defendant.

CASE NO. C16-6018 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)
14 of the Honorable Mary Alice Theiler, United States Magistrate Judge (Dkt. 20), and
15 Plaintiff Donna Hammond’s (“Hammond”) objections to the R&R (Dkt. 21).

16 On August 10, 2017, Judge Theiler issued the R&R recommending that the Court
17 affirm the Administrative Law Judge’s (“ALJ”) denial of Hammond’s application for
18 benefits. Dkt. 20. On August 14, 2017, Hammond filed objections, and the Government
19 responded. Dkts. 21, 22.

20 The district judge must determine de novo any part of the magistrate judge’s
21 disposition that has been properly objected to. The district judge may accept, reject, or
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1 modify the recommended disposition; receive further evidence; or return the matter to the
2 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

3 In this case, Hammond objects to Judge Theiler's consideration of the medical
4 evidence. Dkt. 21. In almost every case there are competing medical opinions and
5 assessments forcing an ALJ to accept some opinions and reject others. This is one of
6 those cases. The Court has reviewed the ALJ's decision and the R&R and finds that the
7 ALJ gave adequate explanations for assigning different weights to different opinions.
8 Similarly, Judge Theiler provides a thorough discussion of these issues, and Hammond
9 fails to show any error in the R&R. Therefore, the Court having considered the R&R,
10 Hammond's objections, and the remaining record, does hereby find and order as follows:

- 11 (1) The R&R is **ADOPTED**;
12 (2) The ALJ's decision is **AFFIRMED**; and
13 (3) The Clerk shall enter **JUDGMENT** in favor of Defendant and close this
14 case.

15 Dated this 10th day of October, 2017.

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17 BENJAMIN H. SETTLE
18 United States District Judge
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